

A MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, TENNESSEE was held in the Commission Chambers of the Municipal and Safety Building, 601 East Main Street, Johnson City, Tennessee on Thursday, July 7, 2016.

PRESENT: Mayor Clayton Stout, Vice-Mayor David Tomita, Commissioners Jenny Brock and Ralph Van Brocklin, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

ABSENT: Commissioner Jeff Banyas.

Mayor Clayton Stout called the meeting to order at 6:04 p.m.

At this time, Reverend C.H. Charlton, Pastor, Friendship Baptist Church, gave the invocation, which was followed by the pledge of allegiance.

Minutes

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the regularly scheduled City Commission Meeting held on Thursday, June 16, 2016, be and the same are hereby approved.

SC Minutes

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor David Tomita, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the Special Called City Commission Meeting held on Thursday, June 23, 2016, be and the same are hereby approved.

Proclamation

At this time, Mayor Clayton Stout presented a proclamation recognizing Friendship Baptist Church for their 100 Year Anniversary. Reverend C. H. Charlton, Pastor, joined by members of his congregation, was present to accept.

Whereas on March 29, 1916, eight honorable soldiers of the United States who were residing at Mountain Home purchased what they would name "The Old Soldiers Baptist Church," with the Rev. L.F. Anderson serving as its first pastor; and

Whereas the church was later named Friendship Baptist and over the next six decades the building, located on Garden Drive, underwent numerous renovations and the church membership continued to grow to 220 today; and

Whereas in 1977, the Rev. C.H. Charlton was called to lead the church, which he has done tirelessly for 39 years with a special emphasis on Baptist doctrine and education as a means of advancement; and

Whereas Rev. Charlton has overseen the addition of a lounge, library, and computer lab as well as the initiation of Singles, Seniors and Health ministries, and eight men have been called to ministry under his pastorate.

Now, Therefore, I, W. Clayton Stout, Mayor of the City of Johnson City, do hereby recognize Friendship Baptist on its

100-Year Anniversary

and congratulate its leadership and congregation on a century of "Christ-Centered Service, Changing Hearts, Shaping Lives!"

In Witness Whereof, I have hereunto set my hand and caused the Official Seal of the City of Johnson City, Tennessee, to be affixed this 7th day of July, 2016.

/s/ Clayton Stout
W. Clayton Stout, Mayor

At this time, Mayor Clayton Stout opened the public input session. No one spoke.

Certificate of Compliance

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor David Tomita, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Certificate of Compliance (Retail Food Store Wine) for ALDI, Inc., d/b/a ALDI #80, 1400 West Market Street, Johnson City, Tennessee, be and the same is hereby approved. Trey Powers was present.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Certificate of Compliance for Rena Scharfstein, d/b/a Northridge Package Store, 2902 Bristol Highway, Johnson City, Tennessee, be and the same is hereby approved. Rena Scharfstein was present.

Certificate of Compliance

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor David Tomita, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

Certificate of Compliance

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Certificate of Compliance for Lindsay Nickels, d/b/a Northridge Package Store, 2902 Bristol Highway, Johnson City, Tennessee, be and the same is hereby approved. Lindsay Nickels was present.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

License

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Temporary Occasion License to sell beer for the Downtown Johnson City Foundation, 300 East Main Street, Johnson City, Tennessee at the Founders After 5 event to be held at Founders Park on July 8, 2016, be and the same is hereby approved. Dianna Cantler was present.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

License

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Temporary Occasion License to sell beer for the Downtown Johnson City Foundation, 300 East Main Street, Johnson City, Tennessee at the Founders After 5 event to be held at Founders Park on July 15, 2016, be and the same is hereby approved. Dianna Cantler was present.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

License

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for The Real Gondola LLC, 3732 Bristol Highway, Johnson City, Tennessee, be and the same is hereby approved. Eleftherios Xixis was present.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor David Tomita, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

Street Closing

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing from 6:00 p.m. on Thursday, August 11, 2016, until 3:00 a.m. on Sunday, August 14, 2016, as requested by Johnson City Downtown Merchants, for the Little Chicago Music & Art Festival, be and the same is hereby approved. Travis Woodall was present.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor David Tomita, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

Street Closing

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing from 6:00 a.m. until 11:00 a.m. on Saturday, August 20, 2016, as requested by Science Hill High School PTSA, for the Run for the Hill 5K Run/Walk, be and the same is hereby approved. Jennifer Clagg was present.

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

Consent Agenda

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Consent Agenda for July 7, 2016, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Parks & Recreation ~ Senior Services Department

Review & Approval of FTDD Area Agency on Aging and Disability Grant contract for the JC Senior Services

Grant

ii. Purchasing

Consider declaring certain Risk Management and Fleet Management items as surplus

Surplus

Memorandum of Understanding

- iii. **Johnson City Police Department**
- Consider a Memorandum of Understanding (MOU) between the City of Johnson City, administering the Johnson City / Washington County Family Justice Center, and Legal Aid of East Tennessee establishing a partnership agreement and on-site presence at the Johnson City/Washington County Family Justice Center

Contract

- iv. **Public Works Department**
- Consider approval of the Construction Contract for Summers-Taylor, Inc. on the Boone Street Culvert Extension with a project budget of \$1,069,480.50

Invoices

B. **INVOICES:**

- i. TML Pool \$100,750.54
- Risk Management ~ Claim Invoices
- Funding Source: Insurance Fund Liability Reserves
- ii. S&ME (Littlejohn Engineering) \$9,279.94
- Public Works Department ~ Invoice #742508
- Cobb Creek Stormwater Study
- Funding Source: Stormwater Fund
- iii. Barge Waggoner Sumner & Cannon \$29,625.00
- Public Works Department ~ No. 146472
- Downtown Plaza Design
- Funding Source: Stormwater Fund
- iv. Gresham, Smith & Partners \$31,453.72
- Public Works Department ~ Invoice #0695759
- Indian Ridge Road Intersection Improvements
- Funding Source: STP Funds
- v. Thomas Construction Company.\$23,331.39
- Water & Sewer Services ~ **Final Pay Request**
- (Authorize Mayor to sign Change Order #1)**
- Galvanized Waterline Replacement
- Funding Source: Rate Funded
- vi. Wiedeman & Singleton \$1,780.00
- Water & Sewer Services ~ Task Order #8
- Engineering Services for Watauga Water Plant Disinfection Conversion
- Funding Source: Bond Funded
- vii. Hazen & Sawyer \$64,607.23
- Water & Sewer Services
- Lower Brush Creek Sanitary Sewer Interceptor Replacement
- Funding Source: Bond Funded
- viii. Burleson Construction Company \$131,372.08
- Water & Sewer Services ~ Pay Request #3
- State of Franklin Water Booster Station
- Funding Source: Bond Funded

- ix. LDA Engineering \$1,525.00
Water & Sewer Services ~ Work Order #2
Addition of Emergency Generator at SOF Water Booster Station
Funding Source: Bond Funded

- x. LDA Engineering \$21,935.00
Water & Sewer Services ~ Work Order #5
Tannery Knob Water Tank Replacement
Funding Source: Bond Funded

- xi. Littlejohn Engineering\$6,155.00
Water & Sewer Services
Division St., North SOF & Upper King Creek Sewer Rehab
Funding Source: Bond Funded & Budgeted Expense

- xii. Portland Utilities \$31,300.72
Water & Sewer Services ~ Pay Request #1
Cash Hollow Sewer Rehab Project
Funding Source: Budgeted Expense

- xiii. HVAC Inc. \$354,382.51
Administration ~ Pay Request #10
Freedom Hall Renovations & Additions
Funding Source: Bond Funded

- xiv. BurWil Construction Company \$265,408.10
Administration ~ Pay Request #3
Freedom Hall Renovations & Additions
Funding Source: Bond Funded

- xv. Mechanical Design Services \$6,836.64
Administration ~ Invoice #14-001-11
Freedom Hall Renovations & Additions
Funding Source: Bond Funded

- xvi. Burleson Construction Company \$6,524.11
Administration ~ Invoice #2734010
Freedom Hall Renovations & Additions
Funding Source: Bond Funded

- xvii. Shaw & Shanks Architects \$3,896.36
Administration ~ Invoice #9
Freedom Hall Renovations and Additions
Funding Source: Bond Funded

- xviii. Shaw & Shanks Architects \$36,500.00
Administration ~ Invoice #1
Langston School Partial Demolition & Gymnasium Wing Modifications
Funding Source: Capital Projects Fund (To be funded later by Bond Issue)

C. BIDS

Bid

- i. Bid #6047
- Kingsport Armature \$42,600.00
- Administration
- Electrical Services for SHHS Stadium Lighting
- Funding Source: Capital Funds

TABULATION OF BIDS
CITY OF JOHNSON CITY, TN
JULY 7, 2016 - 11:00 AM
ITB #6047 ELECTRICAL SERVICES SHHS STADIUM LIGHTING

Vendor	License #	Lump Sum
Kingsport Armature	4915	\$ 42,600.00
Acorn Electrical	29586	\$ 43,620.00
Knight Electric	38793	\$ 47,500.00
<div><div>Decline: Hodges Electric, Osborne Electric</div><div>No Response: Amp Electrical, Progression Electric, J.E. Greene, Richardson Builders, Jeff's Electric, Messey Electric, ESI Companies, Biscall Electric, Terry's Electric Services, Lallum Construction, Diversified Building, Dalton Electric, Buchanan Pump Service, Precision Electric</div></div>		
RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.		

Purchase

D. PURCHASES

- i. SHI..... \$40,776.75
- Johnson City Schools ~ Technology Division
- Microsoft EES Agreement
- Funding Source: General Purpose School Technology

Bank of TN-Gray
Annexation

Upon motion by Mayor Clayton Stout, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **failed** as follows: Mayor Clayton Stout and Commissioner Jenny Brock voted aye. Commissioner Ralph Van Brocklin was absent from the Chambers. Vice-Mayor David Tomita voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a resolution to annex certain properties that together are known as the Bank of Tennessee - Gray Annexation (Ordinance 4606-16 Assigning Zoning), be and the same is hereby approved.

Ord 4606-16
First Reading

Upon motion by Mayor Clayton Stout, seconded by Commissioner Jenny Brock, **Ordinance No. 4606-16**, "AN ORDINANCE TO ASSIGN ZONING OF B-4 (PLANNED ARTERIAL BUSINESS) AND CO (CORRIDOR OVERLAY) TO TWO-(2) CERTAIN PROPERTIES THAT TOGETHER ARE KNOWN AS THE BANK OF TENNESSEE - GRAY ANNEXATION," **failed on first reading** as follows: Mayor Clayton Stout and Commissioner Jenny Brock voted aye. Commissioner Ralph Van Brocklin was absent from the Chambers. Vice-Mayor David Tomita voted nay.

Ord 4607-16
First Reading

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor David Tomita, **Ordinance No. 4607-16**, "AN ORDINANCE TO REZONE PROPERTY ALONG BRISTOL HIGHWAY FROM PB (PLANNED BUSINESS) TO RP-2 (PLANNED RESIDENTIAL)," was **passed on first reading**. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

Resolution

Upon motion by Vice-Mayor David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by three ayes. Commissioner Ralph Van Brocklin was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a resolution to annex certain properties that together are known as the Helvey Annexation (Ordinance 4608-16 Assigning Zoning), be and the same is hereby approved.

Ord 4608-16
First Reading

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor David Tomita, **Ordinance No. 4608-16**, "AN ORDINANCE TO ASSIGN ZONING OF R2-B (LOW DENSITY RESIDENTIAL) TO TWO-(2) CERTAIN PROPERTIES THAT TOGETHER ARE KNOWN AS THE HELVEY ANNEXATION," was **passed on first reading**. The motion **carried** by four ayes. There were no nay votes.

Upon motion by Commissioner Ralph Van Brocklin, seconded by Vice-Mayor David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

Appointment

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the appointment of Rick Storey and Lee Chase, as the County Commission representatives, to the Johnson City Development Authority, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

Appointment

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the re-appointment of Donna Noland and Robert Williams to the Johnson City Development Authority, be and the same is hereby approved. The Commission will consider the remaining appointments at the Commission meeting on July 21, 2016.

At this time, Tommy Burleson, Burleson Construction, presented the Progress Report on Freedom Hall Improvements.

Progress
Report

At this time, Dennis Bollinger, Vice President of Commercial and Regulatory Affairs, Energy Developments, Inc., made a presentation on the sale of the Iris Glen Gas-to-Energy Plant by Energy Systems Group (ESG) to Energy Developments, Inc. (EDI).

Sale of Iris Glen

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Ralph Van Brocklin, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the documents needed to properly complete the consent requirements in the sale of the Iris Glen Gas-to-Energy Plant by Energy Systems Group (ESG) to Energy Developments, Inc. (EDI), be and the same are hereby approved.

At this time, Phil Pindzola, Public Works Director, provided an update on Public Works projects.

Public Works
Projects

There being no further business or discussion, Mayor Clayton Stout adjourned the meeting at 7:51 p.m.

CLAYTON STOUT
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:
1. None.

ACTION ITEMS:
1. The Commission will consider the remaining appointments to the Johnson City Development Authority at the Commission meeting on July 21, 2016.

Action Items